

REMARKS

Claims 36 and 39-52 are pending in the application. Claim 1-35, 37, 38, and 53-61 have been canceled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

I. INTERVIEW SUMMARY

Applicant's representative wishes to thank the Examiner for the telephonic interview of October 20, 2009. During the interview the Examiner agreed that the amendment above would not require further search and consideration. Further, the Examiner agreed that the prior art of record may not teach all of the features of claim 36 and that the remarks below would be considered by a Primary Examiner if presented formally.

II. REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

In the Office Action of July 20, 2009, claims 36, 38-41, and 44-52 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 7,212,300 ("Comer"). Claims 42 and 43 were rejected under 35 U.S.C. §103(a) as unpatentable over Comer in view of U.S. Patent No. 6,522,430 ("Chadez").

Claim 36 recites, *inter alia*, "a print server, in communication with the processor, to manage a print queue; and a substrate including a microchip comprising the processor, the system I/O, the formatter controller, and the print server."

Comer describes industrial printers, known as "drop-on-demand" printers that are used to code information on boxes or other packaging. *See* col. 1, lines 12-17. Comer notes that in the past such "drop-on-demand" printers have not been provided with Internet connectivity capabilities. *See* col. 1, lines 54-56. In other words, Comer focuses on adding Internet connectivity to industrial printers.

However, Internet connectivity is not a print server to manage a print queue, as required by claim 36. Many devices have Internet connectivity but are incapable of functioning as a print server to manage a print queue. Simply connecting a print engine to the Internet does not result in a print server to manage a print queue.

In every instance that Comer mentions an Internet server, the focus is solely on managing Internet connectivity, with no hint of managing anything remotely related to managing a print queue. Comer discloses the following:

Referring to FIG. 2, a typical preferred system may include a NetSilicon Ethernet processor 16. The processor may have ROM and RAM memory used to run software that will operate the Internet connection and perform the tasks required by the piezoelectric printhead. Processor 16 controls print engine 10 by managing the Internet communications and also by transforming message data received from the Internet into a format readable by the printer software.

Print engine 10 preferably includes an Ethernet transeiver and magnetics that provide the physical connection to the Internet. Print engine 10 also includes specific electronics that are typical in the industry for operating a piezoelectric printhead. Print engine 10 monitors Internet communications and processes data intended for the device. In addition, the print engine performs the typical functions required of a piezoelectric printhead. Col. 4, lns. 3-18 (emphasis added)

Comer thus merely discloses that the printer is in communication with the Internet via an embedded Internet server. Comer does not disclose a print server that manages a print queue.

The Advisory Action mailed October 6, 2009 states:

By disclosing a printer with an embedded Internet server, memory, and integrated networking software, Comer is implicitly revealing the existence of a print job because a print server by its very nature accepts print jobs from computers and sends the jobs to appropriate printers within e.g., a network.

Applicant disagrees with this statement and reasoning. Comer does not disclose a printer with an embedded print server that manages a print server. As discussed above, Comer discloses an Internet server. Even if one were to apply a broad meaning to “print server,” the analysis does not end there because claim 36 recites that the print server manages a print queue.

Internet servers do not by their very nature manage print queues. If a printer receives print jobs over the Internet, it does not necessary follow that the printer is managing a print queue. Therefore, Comer does not teach or even suggest a print server,

in communication with the processor, to manage a print queue and a substrate including a microchip comprising the processor, the system I/O, the formatter controller, and the print server.

The Advisory Action mailed October 6, 2009 further states that “[t]he Examiner ... believes that a processor that controls memory, cache, print engine, printheads, reads on the applicants claim(s).”

Applicants respectfully disagree with the Examiner’s statement. If it were true, then any processor that controls memory, cache, print engine, printheads, would be a print server to manage a print queue. In other words, the Examiner is interpreting the prior art in such a way that any printer with a processor is a print server to manage a print queue.

For the reasons stated above, Applicants respectfully request that the rejection of claim 36 be withdrawn. Further, the rejections of claims 39-52 should be withdrawn because, at a minimum, claims 39-52 depend from claim 36.

III. CONCLUSION

Therefore, in view of the above remarks, Applicant respectfully submits that this application is in condition for allowance and such action is earnestly requested.

If for any reason the Examiner is not able to allow the application, she is requested to contact the Applicant’s undersigned attorney at (312) 321-4200.

Respectfully submitted,


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